

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
DOCKET NO. 3:13-CV-00095-FDW-DCK**

**JUAN WHIPPLE,**

**Plaintiff,**

**vs.**

**DAVID TROPEANO and DANIEL C.  
BUCKLEY,**

**Defendants.**

**ORDER**

**THIS MATTER** is before the Court upon Plaintiff's Motion for Default Judgment filed on September 5, 2013. (Doc. No. 9). As Plaintiff's previous Motions for Entry of Default against Defendants Daniel C. Buckley and David Tropeano filed on June 12, 2013, (Doc. Nos. 5, 6), were denied by Order of this Court (Doc. No. 8), the Court finds that the Plaintiff lacks an entry of default upon which a default judgment may be granted. Additionally, the Order of this Court denying Plaintiff's Motions for Entry of Default granted Defendants fourteen (14) days to file an answer, and this time has not expired. Accordingly, Plaintiff's Motion is DENIED.

**IT IS SO ORDERED.**

Signed: September 9, 2013



Frank D. Whitney  
Chief United States District Judge

